

1 LEWIS BRISBOIS BISGAARD & SMITH LLP  
PEGGY S. DOYLE, SB# 176483  
2 TAL KORN, SB# 227719  
One Sansome Street, Suite 1400  
3 San Francisco, California 94104  
Telephone: (415) 362-2580  
4 Facsimile: (415) 434-0882

5 Attorneys for Defendants  
Cornell Corrections of California, Inc., erroneously  
6 served and sued herein as Cornell Corporation, Inc.  
7 Maria Richard, Mike Reed, Dora Ford, Judith E. Henderson, Melody Daniel, and Rose Hughes

UNITED STATES DISTRICT COURT

**NORTHERN DISTRICT COURT OF CALIFORNIA**

12 JORDAN ROSENBERG,

Plaintiff,

14 v.  
15 CORNELL CORPORATION, INC., AND  
ASSOCIATED COMPANIES, MARIA  
16 RICHARD, DIRECTOR, MIKE REED,  
DIRECTOR, DORA FORD, CASE  
17 MANAGER, JUDITH HENDERSON, JOB  
DEVELOPER, MELODY DANIEL, JOB  
18 DEVELOPER, ROSE HUGHES, STAFF,  
Does 1-100.

## Defendants.

CASE NO.

PIH

**CERTIFICATE OF SERVICE OF NOTICE  
TO ADVERSE PARTY OF REMOVAL TO  
FEDERAL COURT**

21 Anna Villanueva certifies and declares as follows:

22           1. I am over the age of 18 years and not a party to this action.  
23           2. My business address is Lewis Brisbois Bisgaard & Smith, LLP, One Sansome  
24 Street, Suite 1400, San Francisco, CA 94104, which is located in the city, county, and state where  
25 the mailing described below took place.  
26           3. On September 12, 2007, I deposited in the United States Mail at San Francisco,  
27 California, a copy of the NOTICE TO ADVERSE PARTY OF REMOVAL TO FEDERAL  
28 COURT dated September 12, 2007, a copy of which is attached to this Certificate.

1 I declare under penalty of perjury that the foregoing is true and correct.  
2 Executed on September 12, 2007.

3 \_\_\_\_\_  
4 Anna Villanueva  
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LEWIS BRISBOIS BISGAARD & SMITH LLP  
ONE SANSOME STREET, SUITE 1400  
SAN FRANCISCO, CALIFORNIA 94104  
TELEPHONE (415) 362-2580

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5      Attorneys for Defendants  
 6      Cornell Corrections of California, Inc., erroneously  
 6      served and sued herein as Cornell Corporation, Inc.;  
 7      Maria Richard; Mike Reed, Dora Ford; Judith  
 7      Henderson; Melody Daniel; and Rose Hughes

8

9                   **UNITED STATES DISTRICT COURT**10                  **NORTHERN DISTRICT COURT OF CALIFORNIA**

11

12      JORDAN ROSENBERG,

12      ) CASE NO. \_\_\_\_\_

13      Plaintiff,

14      v.

15      CORNELL CORPORATION, INC., AND  
 16      ASSOCIATED COMPANIES, MARIA  
 16      RICHARD, DIRECTOR, MIKE REED,  
 17      DIRECTOR, DORA FORD, CASE  
 17      MANAGER, JUDITH HENDERSON, JOB  
 18      DEVELOPER, MELODY DANIEL, JOB  
 18      DEVELOPER, ROSE HUGHES, STAFF,  
 19      DOES 1-100,19      ) **NOTICE OF REMOVAL OF ACTION**  
 20      ) **TO UNITED STATES DISTRICT COURT,**  
 20      ) **NORTHERN DISTRICT OF CALIFORNIA**  
 20      ) **(28 U.S.C. § 1441(b)) – AND –**  
 20      ) **JURY DEMAND**

20      Defendants.

21

22      **TO: THE CLERK OF THE ABOVE-ENTITLED COURT:**23                  PLEASE TAKE NOTICE that defendants Cornell Corrections of California, Inc.,  
 24      erroneously served and sued herein as Cornell Corporation, Inc., Maria Richard, Mike Reed,  
 25      Dora Ford, Judith Henderson, Melody Daniel, and Rose Hughes hereby unanimously remove to  
 26      this Court the state court action described below.27                  1.      **Complaint:** On January 17, 2007, an action was commenced in the Superior  
 28      Court of the State of California, in and for the County of San Francisco, entitled Jordan Rosenberg

1 v. Cornell Corporation, Inc., et al., Case No. CGC-07-459757, a copy of which is attached as

2 **EXHIBIT A.**

3 2. The complaint was not served on any defendant.

4 3. **First Amended Complaint:** On May 15, 2007, plaintiff Jordan Rosenberg  
5 filed a first amended complaint in the above state court action, a copy of which is attached as

6 **EXHIBIT B.**

7 4. Defendant Maria Richard was personally served with summons and the first  
8 amended complaint on August 6, 2007; defendant Cornell Corrections of California, Inc.,  
9 erroneously served and sued herein as Cornell Corporation, Inc., was improperly served with  
10 the same documents on August 6, 2007; and defendants Mike Reed, Dora Ford, Judith Henderson,  
11 Melody Daniel, and Rose Hughes were served with the same documents by substituted service on  
12 August 14, 2007. Removal is timely under the "last served" rule of Ford v. New United Motors  
13 Manufacturing, Inc., 857 F.Supp. 707 (N.D. Cal. 1994). A copy of the summons served by  
14 substituted service on defendant Rose Hughes is attached as **EXHIBIT C.**

15 5. **Jurisdiction:** This is a civil action over which this Court has original jurisdiction  
16 pursuant to 28 U.S.C. § 1332 and one which may be removed to this Court pursuant to 28 U.S.C.  
17 § 1441(b) in that it is based on federal law, e.g., the first amended complaint alleges "a 'Bivens'  
18 action, aris[ing] in part from violations of plaintiff's rights under the US Constitution, federal law,  
19 and federal regulations. (Bivens v. Six unknown fed. Narcotics agents, 403 U.S. 388 (1971)."  
20 See first amended complaint, 2:10-12, EXHIBIT B.

21 6. **Intradistrict assignment:** Removal to the San Francisco division of the Northern  
22 District of California is proper under 28 U.S.C. § 1441(a) because it is the district and division  
23 in which the state court action was commenced and is pending. Removal to the San Francisco  
24 division or the Oakland division is also proper under Northern District Court Local Rules 3-2  
25 and 3-5.

26 7. Defendant has provided plaintiff with a copy of this Notice of Removal as required  
27 by law. Attached as **EXHIBIT D** is a copy of defendant's Certificate of Service.

28 ///

8. A copy of this Notice of Removal is also being filed with the Clerk of the Superior Court of California for San Francisco County, where this action was originally filed. A copy of defendant's notice is attached hereto as **EXHIBIT E**.

9. Pursuant to Rule 38 of the Federal Rules of Civil Procedure, defendants hereby demand a trial by jury.

DATED: September 12, 2007

# LEWIS BRISBOIS BISGAARD & SMITH LLP

By \_\_\_\_\_  
Peggy S. Doyle  
Attorneys for Defendants

**LEWIS BRISBOIS BISGAARD & SMITH LLP**  
ONE SANSOME STREET, SUITE 1400  
SAN FRANCISCO, CALIFORNIA 94104  
TELEPHONE (415) 382-2580

# EXHIBIT A

1 Jordan Rosenberg  
2 601 Van Ness #E3-219  
3 San Francisco 94102  
4 J94102@yahoo.com  
5 Fax 206-203-4321  
6 Plaintiff  
7 In Pro Per  
8

ENDORSED  
**FILED**  
*San Francisco County Superior Court*

MAY 15 2007

**GORDON PARKER, Clerk**  
~~WESLEY BAKER~~  
~~DEBORAH CRANE~~

9  
10 SUPERIOR COURT OF CALIFORNIA  
11 COUNTY OF SAN FRANCISCO

12 Jordan Rosenberg,  
13  
14 Plaintiff  
15  
16 Vs  
17  
18 Cornell Corporation, Inc,  
19 And Associated Companies  
20  
21 Maria Richard, Director,  
22  
23 Mike Reed, Director,  
24  
25 Dora Ford, Case Manager  
26  
27 Judith Henderson, Job Developer,  
28  
29 Melody Daniel, Job Developer,  
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31 Rose Hughes, Staff,  
32  
33 Does 1-100,  
34  
35 Defendants  
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37

COMPLAINT (FIRST AMENDED)  
FOR CIVIL RIGHTS VIOLATIONS

Case Number CGC-07-459757

1                  Venue – The events and actions took place in San Francisco.  
2                  Plaintiff Rosenberg at all relevant times resided at defendant Cornell's halfway house at  
3                  111 Taylor in San Francisco 94102 following his release from federal prison. The other  
4                  defendants are staff at the halfway house. The authority held by defendants over plaintiff was  
5                  delegated by virtue of their employment by or contract with federal agencies and so they acted  
6                  under color of law.

7                  Rosenberg has attempted to resolve these matters with defendants Cornell and staff all to  
8                  no avail. Rosenberg has brought complaints about staff action to management and/or supervisors  
9                  who have in every case refused to aid Rosenberg.

10                 This complaint, a "Bivens" action, arises in part from violations of plaintiff's rights under  
11                 the US Constitution, federal law, and federal regulations. (Bivens v. Six unknown fed. narcotics  
12                 agents, 403 U.S. 388 (1971) )

13                 For each claim, defendants acted willfully with oppression, fraud, and malice.

14                 All the facts alleged in any part of this complaint are incorporated in every other part of  
15                 the complaint.

16                 Plaintiff will amend this complaint with the names of the Doe defendants as they become  
17                 known.

18

1

FIRST

2 While residing at Cornell halfway house, Plaintiff Rosenberg was forbidden to leave the  
3 house without permission. Rosenberg sought the permission of Defendant Dora Ford to go to the  
4 law library to research and prepare a complaint and application for tro/preliminary injunction to  
5 correct violations of Rosenberg's rights detailed below. Ford sometimes completely refused,  
6 sometimes severely limited Rosenberg's access to the law library. Ford similarly limited  
7 Rosenberg's visits to the court. Rosenberg applied to defendants Richard and Reed to overrule  
8 Ford. They refused. There was no rule or regulation limiting Rosenberg's access to the law  
9 library.

10 Defendants actions deprived Rosenberg of access to the courts, a basic civil right. As a  
11 result Rosenberg was not able to file a timely case thus forever denying Rosenberg remedies that  
12 would otherwise have been available to him.

13

SECOND

14 During two actual fires, where the local fire department was called and responded, and  
15 two fire drills, defendants required that plaintiff Rosenberg line up along side the burning  
16 building. This is an unsafe practice that put Rosenberg's life at risk without reason. Defendants  
17 ignored Rosenberg's protest about this practice.

18

As a result of defendant's actions Rosenberg's life was pointlessly put at risk.

- 1 Rosenberg has a right to be protected from needless risks to his life caused by Defendants, a right
- 2 that was violated by defendant's actions.

### THIRD

4 On one occasion that turned out to be a fire drill, and not an actual fire, a fact then  
5 unknown to Rosenberg, Rosenberg attempted to protect himself from proximity to the burning  
6 building by moving away from it. Defendant Hughes filed a complaint about Rosenberg's action  
7 that resulted in his being punished for his action to protect his life. Punishing Rosenberg for  
8 actions to protect his life when defendants have put his life needlessly at risk is a violation of  
9 Rosenberg's civil rights.

FOURTH

Rosenberg was given 10 hours of punishment duties (above). After he performed those duties, defendant Reed assigned Rosenberg additional punishment duties. When Rosenberg told Reed that he had completed his punishment duties Reed told Rosenberg that this didn't count because the performance of the duties had not been recorded in defendant's records. Rosenberg had not been told anything about such recording and in any case could not compel staff to make such records. Reed required Rosenberg to perform additional duties and then refused to record them, too.

18 Arbitrary and unlimited punishment by defendants is a denial of Rosenberg's civil rights.

1

## FIFTH

2 Cornell confiscated Rosenberg's medicines. Rosenberg asked for their immediate return.

3 Rosenberg needed the medicines and there was no reason for Cornell to keep them from him.

4 Defendant Reed instructed staff to ignore Rosenberg's request and to return the medicines "at

5 your leisure". Rosenberg received the medicines 10 days later.

6 Denying Rosenberg medical care is a violation of his civil rights.

7

## SIXTH

8 Rosenberg was housed in a room with bedbugs. Cornell took no timely action to free the

9 facility of bedbugs. When Rosenberg attempted to use bug spray to kill the bedbugs, Cornell

10 confiscated the bug spray. Cornell violated Rosenberg's right to live in a clean facility free of

11 bedbugs.

12

## SEVENTH

13 Cornell residents are confined to the facility except for specific occasions and

14 permissions to leave. For a period of weeks Rosenberg was entitled to one hour a day of

15 recreation time. Defendants Henderson and Daniel miscalculated Rosenberg's recreation days

16 and together with defendant Ford denied Rosenberg two hours of recreation. Henderson and

17 Daniel refused to correct their calculation when advised of it by Rosenberg. When Rosenberg

18 called this to the attention of defendant Reed he ignored Rosenberg's claims and denied

- 1 Rosenberg his recreation time. Rosenberg has a right to be treated according to house rules and
- 2 to be treated as other residents are. These rights were violated by defendants.

EIGHTH

Cornell residents are required to find employment for 40 hours per week while in

5 residence at Cornell. Cornell receives 25% of the gross paycheck of every resident. Cornell  
6 punishes residents who fail to find such employment.

7 Defendants Henderson and Daniel, staff job developers, have the specific responsibility  
8 to assist residents in finding employment. These defendants hindered Rosenberg in his  
9 employment search by refusing to allow him to go the library to review newspaper employment  
10 ads or to use library internet computers to search for employment ads. There are no newspapers  
11 or internet computers available at Cornell. These defendants kept secret the identities of  
12 employers that commonly hire Cornell residents until, late in the game, Rosenberg was able to  
13 obtain them. Target, in particular, was hiring Cornell residents for extra holiday staff. By the  
14 time Rosenberg got this information from defendants Target had completed its hiring.

15 As a result of defendants actions Rosenberg was not able to find 40 hour per week  
16 employment although he did find two part time jobs. Rosenberg was punished by Cornell for not  
17 meeting their employment requirements. Rosenberg has a right to receive all the assistance that  
18 staff can provide and to receive the same assistance made available to other residents. This right  
19 was violated by defendants.

1 NINETH

2 Rosenberg applied to defendant Ford for permission to purchase hygiene items (soap,  
3 toothpaste, vitamins, etc). Ford repeatedly denied Rosenberg's requests. Rosenberg, like other  
4 Cornell residents, has the right to purchase basic necessities not supplied by Cornell. Ford's  
5 refusal, without reason, to allow Rosenberg to make these purchases is a violation of Rosenberg's  
6 rights.

7 TENTH

8 Cornell has repeatedly treated Rosenberg in an arbitrary manner not prescribed by rules  
9 and regulations and not consistent with the treatment accorded other residents. Arbitrary  
10 treatment is a violation of Rosenberg's rights.

11 RELIEF

12 Rosenberg seeks:

13 Restitution

14 Compensatory damages

15 Punitive damages

16 Combined monetary relief not less than \$10,000,000.00

17 Declaratory relief

18 Injunctive relief

19 Any other relief the Court may find fit to provide.

1  
2 Rosenberg knows the factual statements herein to be true based on his own experience  
3 except where they are based on information and belief and there Rosenberg believes them to be  
4 true. Rosenberg's factual statements are made under penalty of perjury. He is willing to so testify  
5 in court under oath.

6 Respectfully,

7 Jordan Rosenberg

8 Plaintiff/Petitioner

9

# EXHIBIT B

**P I L E D**  
San Francisco County Superior Court

JAN 19 2007

GORDON PARK-LI, Clerk

CASE MANAGEMENT CONFERENCE SET FOR JUN 22, 2007

Deputy Clerk

2 Jordan Rosenberg  
 3 601 Van Ness #E3-219  
 4 San Francisco 94102  
 5 J94102@yahoo.com  
 6 Plaintiff  
 7 In Pro Per

JUN 22 2007 - 9<sup>AM</sup>

DEPARTMENT 212

NO SUMMONS ISSUED

SUPERIOR COURT OF CALIFORNIA  
 COUNTY OF SAN FRANCISCO CGC07- 459757

14  
 15 Jordan Rosenberg,  
 16 Plaintiff  
 17 Vs  
 18 Cornell Corporation, Inc,  
 19 And Associated Companies  
 20 Maria Richard, Director,  
 21 Mike Reed, Director,  
 22 Dora Ford, Case Manager  
 23 Judith Henderson, Job Developer,  
 24 Melody Daniel, Job Developer,  
 25 Rose Hughes, Staff

14  
 15 COMPLAINT; Full Damage  
 16 DEMAND FOR JURY  
 17 TRIAL — For Civil  
 18 1475  
 19 Case Number  
 20 Violation

Venue – The events and actions took place in San Francisco.

Plaintiff Rosenberg has since 10/24/06 resided at defendant Cornell's halfway house at

4 111 Taylor in San Francisco following his release from federal prison. The other defendants are  
5 staff at the halfway house.

6 Rosenberg has attempted to resolve these matters with defendants Cornell and staff all to  
7 no avail.

8 This complaint, a "Bivens" action, arises from violations of plaintiff's rights under the  
9 US Constitution, federal law, and federal regulations

10

11 FIRST

12 Rosenberg has resided at Cornell halfway house about a month. In that time there was  
13 one fire, requiring a response from several fire trucks, and one fire drill. During the fire and the  
14 fire drill, Cornell staff evacuated the building and compelled residents to line up along the side of  
15 the burning building. Rosenberg has pointed out to Cornell management that this is madness.  
16 Rosenberg has requested Cornell management to move staff to a safe location, say, across the  
17 street. Cornell refused.

18 While in Cornell's custody while under Cornell's control, Rosenberg has a right to be  
19 kept safe. Cornell, acting under color of law, has, through malice and oppression, violated that  
20 right and exhibited deliberate indifference to Rosenberg's safety by requiring him to line up next  
21 to a burning building. Rosenberg has been harmed by being made to stand next to a burning  
22 building under threat of punishment if he doesn't. Rosenberg seeks compensatory and punitive  
23 damages and an end to the offending practices.

## SECOND

When residents arrive at Cornell they are confined to the residence for the first three days. Here days always mean business days unless otherwise noted. Then they are permitted to leave the residence on business days to seek employment and for one hour each calendar day for recreation. Residents who do not find full time employment (40 hours/week) within 15 days are punished in a variety of ways including loss of recreation privileges.

When Rosenberg met with Melody Daniel at the beginning of the 15 day period he refused to sign a document that had miscalculated the 15 day period. Ms. Daniel was furious and refused to listen to Rosenberg. Later, 11/9/06 Rosenberg wrote to the Job Developers, Melody Daniel and Judith Henderson, pointing out that 11/10/06 was a holiday and asking for recalculation of the 15 day period. Rosenberg received a written but unsigned acknowledgement, presumably from Melody Daniel but possibly from Judith Henderson, correcting the calculation of his 15 day period and verifying that it ended 11/20/06. Nevertheless Rosenberg was denied his recreation hour on 11/19/06 and 11/20/06. Some person had made a handwritten notation on the list of those eligible for recreation next to Rosenberg's name that said "no rec". One defendant told Rosenberg the note was written by Dora Ford. Rosenberg attempted to explain the situation to staff. He even showed the correcting note to staff. But staff refused to accept it because it was unsigned. Staff, at Rosenberg's request, called Mike Reed who also refused to allow recreation.

While Rosenberg is under Cornell's control he has a due process right to be treated in accordance with regulations. Cornell's willful refusal, resulting from malice and oppression, acting under color of law, to follow its own and the Bureau of Prisons' regulations have harmed Rosenberg by denying him access to deserved recreation despite knowing that their actions are

1 inconsistent with regulations. Rosenberg seeks restitution, compensatory and punitive damages,  
2 and an end to the offending practices.

3

### **THIRD**

5 On Saturday 11/25/06 Rosenberg tried to go to the county law library at 685 Market from  
6 9:00am to 12:30. He was permitted to go but only for half that time. He also tried to go Sunday  
7 11/26/06 from 2:30pm to 4:00 but this request was denied altogether. There is no reason for  
8 these denials. There are no rules forbidding residents to go to libraries, law or otherwise. On  
9 these days and time residents are routinely allowed to go to work, to go to recreation, to shop for  
10 hygiene supplies, and to attend religious services. On 11/30/06 Dora Ford told Rosenberg that  
11 this was being done because that's the way Maria Richard has always done it. Rosenberg has  
12 been denied access to the law library on many subsequent occasions.

**Access to the Courts is a fundamental right without which all others cannot be defended.**

14 As a result of their malice and oppression, Defendants, acting under color of law, willfully  
15 denied Rosenberg the exercise of this right. Rosenberg seeks compensatory and punitive  
16 damages and an end to the offending practices.

. 17

18

FOURTH

**19 Rosenberg requests a jury trial.**

20

21

22

23

1 RELIEF

2 Rosenberg seeks:

3 Restitution

4 Compensatory damages

5 Punitive damages

6 Declaratory relief

7 Injunctive relief

8 Any other relief the Court may find fit to provide.

9

10 Rosenberg knows the factual statements herein to be true based on his own experience

11 except where they are based on information and belief and there Rosenberg believes them to be

12 true. Rosenberg's factual statements are made under penalty of perjury. He is willing to so testify

13 in court under oath.

14  Respectfully,

15 Jordan Rosenberg

16  Plaintiff/Petitioner

17

# EXHIBIT C

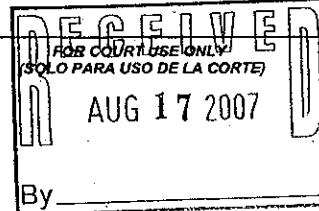
Sheriff's File

07-344924

## SUMMONS (CITACION JUDICIAL)

**NOTICE TO DEFENDANT: (Aviso a Acusado)**

Cornell Corporation NC + ASSOCIATES COMPANIES  
 Maria Richard Director  
 Mike Reed Director  
 Dora Ford Director  
 Judith Henderson Job Supervisor  
 Melody Daniel Job Supervisor  
 Rose Hughes Staff

**YOU ARE BEING SUED BY PLAINTIFF:****(A-Ud. le está demandando)**

Jordan Rosenberg

You have **30 CALENDAR DAYS** after this summons is served on you to file a typewritten response at this court.

A letter or phone call will not protect you; your typewritten response must be in proper legal form if you want the court to hear your case.

If you do not file your response on time, you may lose the case, and your wages, money and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may call an attorney referral service or a legal aid office (listed in the phone book).

Después de que le entreguen esta citación judicial usted tiene un plazo de **30 DIAS CALENDARIOS** para presentar una respuesta escrita a máquina en esta corte.

Una carta o una llamada telefónica no le ofrecerá protección; su respuesta escrita a máquina tiene que cumplir con las formalidades legales apropiadas si usted quiere que la corte escuche su caso.

Si usted no presenta su respuesta a tiempo, puede perder el caso, y le pueden quitar su salario, su dinero y otras cosas de su propiedad sin aviso adicional por parte de la corte.

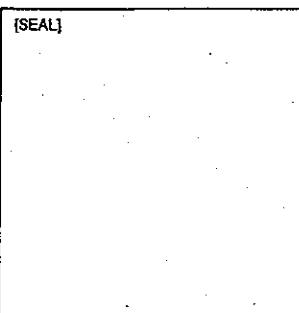
Existen otros requisitos legales. Puede que usted quiera llamar a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de referencia de abogados o a una oficina de ayuda legal (vea el directorio telefónico).

The name and address of the court is: (El nombre y dirección de la corte es)

SF SUPERIOR COURT  
400 McALLISTER  
SF 94102

CASE NUMBER: (Número del Caso)

CGC-07-459757

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:  
(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es)Jordan Rosenberg, 601 Van Ness E3-219, San Francisco 94102  
phone and fax 206-203-4321, J94102@yahoo.comDATE:  
(Fecha)**MAY 10 2007****Gordon Park-Li**Clerk, by  
(Actuario)BERNADETTE THOMPSON, Deputy  
(Delegado)**NOTICE TO THE PERSON SERVED: You are served**

- as an individual defendant.
- as the person sued under the fictitious name of (specify):
- on behalf of (specify):

under:

CCP 416.10 (corporation)  
 CCP 416.20 (defunct corporation)  
 CCP 416.40 (association or partnership)  
 other:

CCP 416.60 (minor)  
 CCP 416.70 (conservatee)  
 CCP 416.90 (individual)

4.  by personal delivery on (date):

# EXHIBIT D

1 LEWIS BRISBOIS BISGAARD & SMITH LLP  
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2 TAL KORN, SB# 227719  
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6 served and sued herein as Cornell Corporation, Inc.,  
7 Maria Richard, Mike Reed, Dora Ford, Judith  
Henderson, Melody Daniel, and Rose Hughes

**UNITED STATES DISTRICT COURT**

NORTHERN DISTRICT COURT OF CALIFORNIA

12 JORDAN ROSENBERG,  
13 Plaintiff,  
14 v.  
15 CORNELL CORPORATION, INC., AND  
16 ASSOCIATED COMPANIES, MARIA  
17 RICHARD, DIRECTOR, MIKE REED,  
18 DIRECTOR, DORA FORD, CASE  
19 MANAGER, JUDITH HENDERSON, JOE  
DEVELOPER, MELODY DANIEL, JOB  
DEVELOPER, ROSE HUGHES, STAFF,  
Does 1-100,  
Defendants.

) CASE NO. \_\_\_\_\_  
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**CERTIFICATE OF SERVICE OF NOTICE  
TO ADVERSE PARTY OF REMOVAL TO  
FEDERAL COURT**

21 Anna Villanueva certifies and declares as follows:

22           1. I am over the age of 18 years and not a party to this action.  
23           2. My business address is Lewis Brisbois Bisgaard & Smith, LLP, One Sansome  
24 Street, Suite 1400, San Francisco, CA 94104, which is located in the city, county, and state where  
25 the mailing described below took place.  
26           3. On September 12, 2007, I deposited in the United States Mail at San Francisco,  
27 California, a copy of the NOTICE TO ADVERSE PARTY OF REMOVAL TO FEDERAL  
28 COURT dated September 12, 2007, a copy of which is attached to this Certificate.

1 I declare under penalty of perjury that the foregoing is true and correct.  
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3 Executed on September 12, 2007.

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11 Anna Villanueva  
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LEWIS BRISBOIS BISGAARD & SMITH LLP  
ONE SANSOME STREET, SUITE 1400  
SAN FRANCISCO, CALIFORNIA 94104  
TELEPHONE (415) 362-2680

# EXHIBIT E

1 LEWIS BRISBOIS BISGAARD & SMITH LLP  
2 PEGGY S. DOYLE, SB# 176483  
3 TAL KORN, SB# 227719  
4 One Sansome Street, Suite 1400  
San Francisco, California. 94104  
Telephone: (415) 362-2580  
Facsimile: (415) 434-0882

5 Attorneys for Defendants  
Cornell Corrections of California, Inc., erroneously  
6 served and sued herein as Cornell Corporation, Inc.,  
Maria Richard, Mike Reed, Dora Ford, Judith  
7 Henderson, Melody Daniel, and Rose Hughes

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF SAN FRANCISCO

JORDAN ROSENBERG,

**Plaintiff,**

V.

CORNELL CORPORATION, INC., AND  
ASSOCIATED COMPANIES, MARIA  
RICHARD, DIRECTOR, MIKE REED,  
DIRECTOR, DORA FORD, CASE  
MANAGER, JUDITH HENDERSON, JOB  
DEVELOPER, MELODY DANIEL, JOB  
DEVELOPER, ROSE HUGHES, STAFF,  
DOES 1-100.

### Defendants.

CASE NO. CGC-07-459757

**NOTICE TO ADVERSE PARTY OF  
REMOVAL TO FEDERAL COURT**

**TO: THE ABOVE COURT AND PLAINTIFF PRO PER JORDAN ROSENBERG:**

PLEASE TAKE NOTICE that a Notice of Removal of the above-entitled action was filed with the United States District Court, in and for the Northern District of California, on September 12, 2007. A copy of said Notice of Removal is attached hereto and served herewith.

DATED: September 12, 2007

**LEWIS BRISBOIS BISGAARD & SMITH LLP**

By

**PEGGY S. DOYLE**  
Attorneys for Defendants

## 1 PROOF OF SERVICE

2 Rosenberg v. Cornell

## 3 STATE OF CALIFORNIA, COUNTY OF SAN FRANCISCO

4 I am employed in the County of San Francisco, State of California. I am over the age of 18  
 and not a party to the within action. My business address is One Sansome Street, Suite 1400, San  
 Francisco, California 94104.

5 On September 11, 2007, I served the following document described as **NOTICE OF**  
 6 **REMOVAL OF ACTION TO UNITED STATES DISTRICT COURT, NORTHERN**  
**DISTRICT OF CALIFORNIA AND JURY DEMAND** on all interested parties in this action by  
 7 placing [X] a true copy [ ] the original thereof enclosed in sealed envelopes addressed as  
 follows:

8 ROSENBERG, JORDAN  
 9 601 VAN NESS AVENUE #E3-219  
 SAN FRANCISCO, CA 94102

Pro per plaintiff

10 [ ] (BY FACSIMILE) The facsimile machine I used complied with Rule 2003(3) and no error  
 11 was reported by the machine. Pursuant to Rule 2008(e)(4), I caused the machine to print a  
 record of the transmission.

12 [X] (BY MAIL, 1013a, 2015.5 C.C.P.)

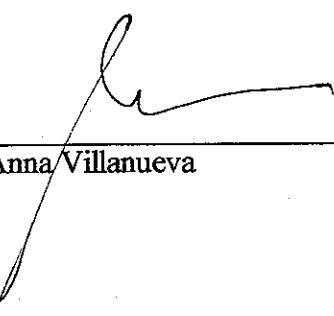
13 [ ] I deposited such envelope in the mail at San Francisco, California. The envelope  
 was mailed with postage thereon fully prepaid.

14 [X] I am readily familiar with the firm's practice for collection and processing  
 15 correspondence for mailing. Under that practice, this document will be deposited with the U.S.  
 Postal Service on this date with postage thereon fully prepaid at San Francisco, California in the  
 16 ordinary course of business. I am aware that on motion of the party served, service is presumed  
 invalid if postal cancellation date or postage meter date is more than one day after date of deposit  
 17 for mailing in affidavit.

18 [X] (STATE) I declare under penalty of perjury under the laws of the State of California that  
 19 the above is true and correct.

20 [ ] (FEDERAL) I declare that I am employed in the office of a member of the bar of this  
 Court at whose direction the service was made.

21 Executed on September 11, 2007, at San Francisco, California.

  
 22 Anna Villanueva